

Hitt Rebuttal Expert Report – Exhibit 44: Epic commission rate to third party platforms and distributors

	Platform	Commission rate
Fortnite		
1.	Microsoft	30%
2.	Sony ^[1]	30%
3.	Nintendo Co., Ltd.	30%
4.	Apple Inc.	30%
5.	Gearbox Software, LLC ^[2]	
6.	Samsung Electronics Co., Ltd	
7.	Google Inc	30%
Rocket League		
8.	Microsoft	30%
9.	Valve Corporation	30%
10.	Sony	30%
11.	Nintendo Co., Ltd.	30%
12.	Other	30%
Dauntless		
13.	Sony	30%
14.	Microsoft	30%
Paragon [Retired]		
15.	Sony	30%
16.	Microsoft	30%
Unreal Tournament		
17.	Valve Corporation	30%
Battle Breakers		
18.	Apple Inc.	30%
Infinity Blade		
19.	Apple Inc.	30%

DEFENDANT A	United States District Court Northern District of California
	Case No. 4:20-cv-05640-YGR
	Case Title <i>Epic Games, Inc. v. Apple, Inc.</i>
	Exhibit No. DX-4800
	Date Entered _____
	Susan Y. Soong, Clerk
	By: _____, Deputy Clerk

Source: EPIC_03848271 (dated December 2, 2020); Sony Cross-Platform Policy Agreement; Addendum to Sony Cross-Platform Policy Agreement, “PlayStation 4 Cross-Platform Policy Schedule to the PlayStation Global Developer and Publisher Agreement,” September 6, 2019, EPIC_03848141 – 49 at EPIC_03848143, 45, 47; and Epic Games, Inc.’s Responses and Objections to Apple Inc.’s Second Set of Interrogatories, Epic Games, Inc., v. Apple Inc., January 29, 2021 at pp. 12–13 Note:

[1] Sony and Epic agreed to allocate revenue generated from cross-platform commerce to PS4 using a revenue sharing model. As a result, under certain conditions, Epic’s commission rate to Sony could exceed 30%.

[2] Gearbox is the distributor of Fortnite gift cards to retailers and Gearbox’s commission rate is based on a blended average depending on the platform the gift cards are redeemed on. Epic pays a commission rate of between [REDACTED] and [REDACTED] to Gearbox.